

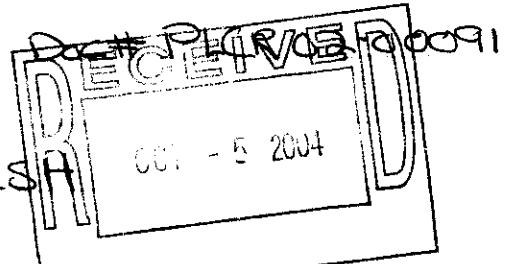
**PETITION UNDER 28 USC § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

United States District Court		District <i>1st Dist.</i>
Name <i>Fredrick J. Bush</i>	Prisoner No. <i>20903</i>	Case No. <i>PLCR 02-00091</i>
Place of Confinement <i>Plymouth County Corr. Facility</i>		
Name of Petitioner (include name under which convicted) <i>Fredrick J. Bush</i>		Name of Respondent (authorized person having custody of petitioner) <i>v. Dept of Corrections Plymouth Co. Sheriff's Dept.</i>
The Attorney General of the State of: <i>MASSACHUSETTS</i>		
PETITION		
<p>1. Name and location of court which entered the judgment of conviction under attack <i>Brockton Sup.- erior court,</i></p> <p>2. Date of judgment of conviction <i>10-17-2003</i></p> <p>3. Length of sentence <i>2 years State, 3 years County (Plymouth)</i></p> <p>4. Nature of offense involved (all counts) <i>A.W.D., Poss CLASS B, Poss with Intent to dist, School zone viol. Possession of Ammunition (Pepper Spray) w/o Id card, Resisting arrest.</i></p> <p>5. What was your plea? (Check one) (a) Not guilty <input checked="" type="checkbox"/></p> <p>(b) Guilty <input type="checkbox"/></p> <p>(c) Nolo contendere <input type="checkbox"/></p> <p>If you entered a guilty plea to one count or indictment, and not a guilty plea to another count or indictment, give details: <hr/> <hr/></p> <p>6. If you pleaded not guilty, what kind of trial did you have? (Check one) (a) Jury <input checked="" type="checkbox"/></p> <p>(b) Judge only <input type="checkbox"/></p> <p>7. Did you testify at the trial? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>8. Did you appeal from the judgment of conviction? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>		

United States district Court
District of Massachusetts

Suffolk ,ss

First Circuit Court



Fredrick J. Bush
VS.

Department of Correction

Reserved def, Reserved def

Now comes Fredrick J Bush respectfully seeking relief of Immediate freedom in accordance with Title 42,

Sect 2254 based on the following grounds, violations of Constitutional procedures, protocol resulting in Severe Deprivations of due process.

① Case was unconstitutionally built on a defective, insufficient Search warrant with forged, and perjured Affidavit.

② Illegal Entry in Violation of fourth Amendment protection from -

unreasonable Search, Seizure, by Assault on home without a Knock or Announcement or any request for admittance before ramming down door violently in Violation of Constitutional Safeguards, causing desperate need for Self defense against a masked, murderous unknown assailant in street clothes with no discernable Police Identification resulting in bodily injury, loss of home, all possessions as well as my liberty to vengefully willfull, intentional perjury, Conspiracy to deprive, deprivation of due process, malicious prosecution by officers.

③ Conviction obtained with Illegally Seized evidence, perjured testimony by two prosecution witnesses.

④ Prosecutorial Misconduct: withholding of exculpatory evidence, witnesses for @ one year; Subornation of perjury, and Conspiracy to deprive due process.

⑤ Police Misconduct: excessive force, unlawful entry, perjury

- obstruction of Justice , Conspiracy to deprive due process , destruction, and removal of exculpatory evidence, withholding exculpatory evidence, discovery.

⑥ Constitutional Violation of due process at motion to Suppress by Judge Ball's denial of my motion in Spite of fabricated, perjured and inconsistent test -imony She made ruling Contrary to Law, evidence Knowingly; A ruling that has been under investigation by Judicial Conduct Commission since April 2, 2004 , has been unethically, furtively delayed with no explanation.

⑦ Failure and or Refusal to address Motion for Unlawfull Restraint which was filed in State Court with Trial "Judge Hinkle" on June 26, 2004 . has been ignored up to now along with 2 successive Request for recognition , to Compell. with No Response at all to date.

⑧ Ineffective Assistance of Council by Court Appointed Attorney who -

violated Several Rules of Professional Conduct : he Failed, or Refused to procure exculpatory evid, disc-
covery; failed, or Refused to properly investigate case or Locate witness-
es; failed, or Refused to properly cross examine perJuring prosecution witnesses, never questioning, challenging
or attempting to impeach their perJured, fabricated inconsistent damning testimonys ; he willfully Sabotaged my innocence by Aiding prosecution by discussing our Strategy and exposing documents outside of Court room before proceedings as is mentioned inadvertently in the transcripts , as well as accepting an undated document of discovery from D.A. 11 1/2 months Late At Motion to Supress where it was too Late to be of use, Attorney Conspired with police, and prosecutor to Severely deprive me of due process And a fair trial.

⑨ Trial Judge refuse, or failed to give Self defense instructions to Jury.

As a result of these egregious and abundant procedural, constitutional violations, and deprivations which are all encompassing from Fraudulent Search warrant to erroneous execution with excessive force and Illegal Entry in Violation of Knock + Announce provisions as safeguards against unreasonable Search, Seizure; prosecutorial misconduct, Brady Violations, Police perjury, deprivation, conspiracy to deprive, as well as Judicial, procedural infirmities, Refusal to act on petitions at the State level; All of these deprivations are inexcusable and contrary to Justice, Common Law and the American Constitution of the United States; petitioner Should be granted Immediate release forthwith or a new trial in Addition to any other relief the Court Should consider and deem adequate for the damage facilitated by these injustices of record, circumstance.

Signed this 14th day of September in the 2004 th year of our Lord.
under pain, penalty of perjury 9-14-04
Respectfully Frederick J. Bush P.GCF.